



Community Development Department  
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**MINUTES**  
**WASHINGTON CITY PLANNING COMMISSION**  
**February 19, 2014**

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Present: Commissioner Schofield, Commissioner Smith, Commissioner Shepherd, Commissioner Williams, Commissioner Papa, Commissioner Martinsen, Attorney Jeff Starkey, Councilman Nisson, Drew Ellerman, Lester Dalton, Kathy Spring, Greg Sant, James Sullivan, Ken Miller, Jeannine Leeman, Earl Leeman, Richard Winget, John Cherry, Cathy Cherry, Jim Raines, Kyle Pasley, Blair Green Clinton Milne, Gary Davis, Mike Havertz, John Burton, Faith Havick, Jennifer Trella.

Meeting called to order: 5:37 PM

Invocation: Commissioner Smith

Pledge of Allegiance: Commissioner Williams

1. **APPROVAL OF AGENDA**

A. Approval of the agenda for February 19, 2014.  
Commissioner Smith motioned to approve the agenda for February 19, 2014.  
Commissioner Williams seconded the motion.  
Motion passed unanimously.

2. **APPROVAL OF MINUTES**

A. Approval of the minutes from February 5, 2014.  
Commissioner Papa motioned to approve the minutes from February 5, 2014.  
Commissioner Smith seconded the motion.  
Motion passed unanimously.

3. **DECLARATION OF ABSTENTIONS & CONFLICTS**

Commissioner Smith is abstaining from item 5-B.

4. **SUBDIVISION NAME CHANGE**

A. Consideration and recommendation to City Council for a Subdivision name change from New Warm Springs Phase 6 to Perry Landing Subdivision located at approximately 950 North to 1160 North and 400 East to 600 East. Applicant: Perry Development, Greg Sant

### **Background**

The applicant is requesting approval of a name change to a final plat from New Warm Springs, Phase 6 subdivision to a new name of "Perry Landing".

The developer, Perry Homes, is wishing to establish their own brand for this subdivision since they will be the homebuilders of the whole project.

Staff has reviewed the requested proposal, and the proposed name change is acceptable to all associated regulations.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Name Change of the Final plat from New Warm Springs to the new name of "Perry Landing" subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

### **Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

**Commissioner Smith motioned to recommend approval to City Council with the findings and conditions of staff.**

**Commissioner Williams seconded the motion.**

**Motion passed unanimously.**

5. FINAL PLAT

- A. Consideration and recommendation to City Council for the Country Way Estates Phase 1 Subdivision located at approximately 1000 South 2400 East. Applicant: Wall Family Rentals, LLC, Gary Stringham, Troy Wall

**Background**

The applicant is requesting approval of a final plat for the Country Way Estates, Phase 1 subdivision, located at approximately 1000 South 2400 East. This particular phase of the subdivision is proposing 6 lots on an area covering 8.90 acres. The specific location of this subdivision is zoned Residential / Agricultural - One Acre min. (RA-1). The Preliminary Plat was approved back on November 14, 2012.

Staff has reviewed the requested proposal, and the proposed final plat, phase 1, conforms to the approved preliminary plat.

**Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Country Way Estates, Phase 1 subdivision to the City Council, based on the following findings and subject to the following conditions:

**Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

**Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.
6. Deferral agreement needs to be in place prior to recording the final plat and a note shall be added to the final plat referencing the deferred improvements agreement.
7. Easement for the overhead power lines needs to be shown (with any restrictions) on the final plat.

Lester Dalton stated that condition # 6 is already in affect.

Drew Ellerman stated they would remove the note.

Ken Miller stated DREA requires there to be 13 feet from a conductor.

Commissioner Schofield asked the height of the homes in relation to the power line.

Mr. Miller stated they could not build under a power line.

**Commissioner Smith motioned to recommend approval to City Council with the findings and conditions of staff.**

**Commissioner Williams seconded the motion.**

**Motion passed unanimously.**

- B. Consideration and recommendation to City Council for the Creekside Townhomes located at approximately 250 South 350 West. Applicant: Stewart Enterprises LC, Tim Stewart

### **Background**

The applicant is requesting approval of a final plat for the Creekside Townhomes subdivision, located at approximately 250 South 350 West. This particular subdivision is proposing 40 lots on an area covering 4.48 acres. The specific location of this subdivision is zoned Planned Unit Development (PUD). The Preliminary Plat was approved back on July 17, 2013.

Staff has reviewed the requested proposal, and the proposed final plat, conforms to the approved amended preliminary plat.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Creekside Townhomes subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

### **Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.

4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.
6. A note to be added to plat referencing the spring water collection lines that have been installed requiring Property Owners and/or Home Owners Association to be responsible for maintenance of them.

Commissioner Schofield asked for clarification of the drainage on the Walmart side.

Jason Smith stated Walmart has installed a drain line to deal with drainage per the Geotech study.

Commissioner Papa asked about a second access.

Commissioner Schofield stated there isn't a requirement for a second access for this project.

Mr. Ellerman stated the requirement is for a fire access this has a loop system they don't have the requirement for a second access. The minimum is 600 feet before another access would be required. This is an acceptable design.

Commissioner Williams stated they have extra visitor parking for this project.

Mr. Ellerman stated they have more visitor parking than required.

Commissioner Schofield stated there isn't street parking; would there be red signage or marking to indicate no parking?

Mr. Ellerman stated there would have to have no parking signs on the street.

Commissioner Papa asked if a service business comes are they required to park in visitor parking.

Mr. Ellerman stated they should not park on the street. There are 4 building being built at this time.

**Commissioner Williams motioned to recommend approval to City Council with the findings and conditions of staff.**

**Commissioner Papa seconded the motion.**

**Motion passed unanimously.**

6. PRELIMINARY PLAT

- A. Public Hearing for consideration and recommendation to City Council for The Casitas at Sienna Hills Preliminary Plat located at approximately 1900 East 1000 North, north of Grapevine Crossing east of Copperleaf Subdivision. Applicant: Brennan Holdings No 100 LLC, Jim Raines

**Background**

The applicant is requesting approval of a Preliminary plat for The Casitas at Sienna Hills subdivision, located at approximately 1900 East 1000 North (on the east boundary of the Copperleaf subdivision). The applicant is wishing to develop 144 lots on an area covering 19.26 acres. The location of this particular project is zoned Planned Community Development (PCD), being part of the Sienna Hills development.

The proposed subdivision conforms to the subdivision requirements and other city ordinances (including the approved PCD) as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

**Recommendation**

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for The Casitas at Sienna Hills subdivision to the City Council, based on the following findings and subject to the following conditions:

**Findings**

1. The preliminary plat meets the land use designation as outlined in the PCD agreement for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

**Conditions**

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
  - A. A title report.
  - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).

6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. The easterly side of the development as shown is adjacent to the proposed detention basin from the Storm Water Master Plan for the PCD, the inundation area for this facility needs to be reflected on the submitted plat.
12. A signed stamped letter stating compliance with the Sienna Hills streets, water, sewer and storm water master plans needs to be submitted with construction drawings.
13. A Flood Plain development Permit will be required prior to any land disturbing activities if ANY work is to be performed within the SFHA.
14. Post Construction Maintenance Agreement will need to be recorded prior to Final Plat recordation.

Commissioner Williams asked if they are single story.

Commissioner Smith asked Mr. Ellerman about the 34-foot construction standards that require the 34-foot street and the construction standards don't allow for 32 private streets.

Lester Dalton stated 32-foot streets are all over the city. He stated they would need to look at the 34-foot standards so it is consistent.

Commissioner Schofield asked if 2 feet would make a difference.

Mr. Dalton stated it would with parking. With private streets the HOA are pretty good about monitoring it because their CC&Rs don't allow it.

Commissioner Schofield stated 32 feet seems a little narrow he asked if this is comparison to the alleys in Coral Canyon.

Mr. Dalton stated they are a little different because they monitor their development with parking on private streets. In one section of Coral Canyon the alleys are public streets and they have not been allowed since.

Commissioner Schofield asked the width of the alley streets in coral canyon?

Mr. Dalton stated they are 18 feet. HE stated Treasure Valley has private alleys. Sienna Hills is a PCD and this is approved as a PCD.

Mr. Ellerman stated he doesn't consider an alleyway a street. In Treasure Valley the houses face a 66 or greater road so the alleys are fine. He stated the alleyways serve a purpose.

Commissioner Schofield asked if a fire truck could fit down an alley.

Mr. Ellerman stated the fire department gets an opportunity to review these plans and they haven't objected to it. He will follow up on this with the Fire Marshall to make sure this is okay with him.

Commissioner Williams stated he grew up on an alley and the fire department didn't have any problem with getting to the fire that was on his street.

Mr. Ellerman stated the fire department likes to have a required 26 feet minimum on a flag lot.

Commissioner Schofield stated he doesn't like alleyways.

Commissioner Papa asked how emergency vehicles would identify where to go.

Mr. Ellerman stated we have required an entrance directory. The new Digital system for 911 has the addresses and they can find the units.

Commissioner Papa stated in Sunriver he gets lost. He stated he is concerned with emergency vehicles responding to the units.

Mr. Ellerman stated on note #11 and #12 is specific notes for this project.

Jim Raines stated most of the development has a traditional street design. An example is Daybreak in the northern part of the state with the courtyard design. This is an Ivory Home and is a second home market. Hidden Valley has a similar project and is successful. The density is approved overall for the Sienna Hills and a change was just approved for this area on a recent amended but the density, as a whole is less. The wash will not be a part of this project. There are twin homes and that seems to be what the market is asking for. This will give Ivory Home a sellable product just across from this.

Commissioner Smith asked if there are any walkway trails.

Mr. Raines stated there are going to be and they will build them as the agreement with SITLA.

Commissioner Smith stated he didn't see sidewalks or pedestrian walkway.

Mr. Raines stated there is a trail system and there are some walkways in the courtyard area. There is extra visitor parking through out the project.



Commissioner Schofield asked if the units are single-family garage.

Mr. Raines stated they qualify for single family but they are larger than a single garage. The sq footage of the units is about 1,600 to 1,700 sq foot per unit.

Commissioner Schofield opened the public hearing.

James Sullivan stated his concern is with the Copperleaf Subdivision, he is the developer of that subdivision and it appears they are late in knowing what is going in to this. This was amended and the density was changed to what they agreed to.

Commissioner Schofield asked what the density is in Copperleaf.

Mr. Sullivan stated 3 to 4 du/ac. He stated as a member of the Sienna Hills and paying dues they feel they should be noticed of changes and they didn't get a notice of the amendment. He stated he opposes this because of the increase in the density.

Clinton Milne stated they own the largest lot in Copperleaf and this isn't what he was told he was told that this area would be similar to their development. He stated he would like to know about the drainage because of some of the floods that have occurred in recent storms. He asked if there are going to be block walls. He also wanted to know why they didn't get notice of the change. His concern is also with the maintenance. He is opposed to this because it would depreciate the value of his property.

Commissioner Schofield asked Mr. Pasley to address the wall for the project, drainage along the wash and he is concerned with Mr. Sullivan's statement about what they were presented as a plan and this change.

Kyle Pasley stated as far as the walls there is a requirement around each project in the Sienna Hills and will match what is there. The wash is engineered to handle a 100-year event and they will continue to make sure it is engineered on SITLA property. He stated Mr. Sullivan stated he feels they were not notified and he apologized for the lack of communication to Mr. Sullivan and others, it was not done intentionally. Mr. Aaron Langston is the one that usually would handle the communication but he is unable to attend tonight. He felt that as markets change some times it is necessary to make changes but their intent is not to limit information. This is a public hearing so as far as he knows noticing was done.

Commissioner Schofield stated as a developer he would like SITLA to be the one to notice people of changes and Mr. Sullivan stated even SITLA's website doesn't show the amendment. He stated SITLA has a lot of money and they should have done more informing. S&S Homes has done a lot of development and when they sell something and then there is a change to the PCD it may hurt them. He stated he agrees that change happens but when it affects other development there should be more information given to the other developments. He asked if there are going to be more changes.

Mr. Pasley stated he has respect for S&S Homes and apologizes to them if they feel slighted and would like to meet with them. He stated as far as the plan they have only changed the plan once in 14 years. He stated they don't feel there is a need for other changes. The change was for the school site it didn't work in that location. The west side of the wash will not change much the east side they are limited. The character of the homes will not change. The only other change was from townhomes to twin homes in the Sienna Heights. He stated this is in the best interest of the trust. He stated they try to work with the city.

Commissioner Schofield asked if he was aware of the density of Copperleaf.

Mr. Pasley stated 3.7 du/ac.

Commissioner Schofield stated he doesn't know Mr. Sullivan personally that his brother n law works for him.

Mr. Raines stated SITLA goes through a process and some of it is private and confidential but there is a final contract that is public information and therefore some things aren't always noticed.

Commissioner Smith asked what the setbacks are going to be.

Mr. Raines stated setbacks are 20 feet.

Blair Green lives in Copperleaf stated as a retired fire chief his concern is if there is a two story building on fire and the access isn't big enough with the alleyways the whole street will catch on fire. He would prefer lower density and homes. He stated if he knew this was coming in he might not have bought where he is now. He asked about the access and will it go to the round about.

Mr. Ellerman stated it would go the commercial area by exit 13.

Commissioner Smith motioned to close the public hearing.

Commissioner Williams seconded the motion.

Motion passed unanimously.

Commissioner Schofield stated his concern is with the alleys and density. He stated that they allowed the change to allow the school to change.

Commissioner Williams stated he agrees. The center section is a concern. He would rather have less density. The out area is fine.

Mr. Ellerman stated the entire Sienna Hills as a whole project in regards to water, sewer and streets; it has come in short of what the agreement was in the original design of the whole project as far as density. It is sufficient and as a PCD this fits and the density is less.

Jeff Starkey asked if this falls within the PCD map.

Mr. Ellerman stated yes.

Commissioner Papa asked what the completion of the Sienna Hills project is.

Mr. Ellerman stated about a third is left.

Mr. Raines stated there is a lot of open space with a trail system and this doesn't even fit in high density. This is an approved density and shouldn't be an issue. The layout meets what is required of them and they comply with the PCD agreement. This is not a legislative body and would like for them to recommend approval. Sienna Hills is for open space and trail systems. This will also have a pool area and clubhouse.

Commissioner Schofield stated he would like to comment on the statement that this isn't the legislative body. He stated they do make decisions and recommendation as a Planning Commission Body on any project regardless of density and regards it to be the same importance.

**Commissioner Smith motioned to recommend approval to City Council with the findings and conditions of staff.**

**Commissioner Martinsen seconded the motion.**

**Roll call vote:**

**Commissioner Martinsen Aye**

**Commissioner Papa Aye**

**Commissioner Smith Aye**

**Commissioner Williams Nay**

**Commissioner Schofield Nay.**

**Vote passed 3 to 2.**

**Commissioner Shepherd did not vote due to coming late.**

- B. Public Hearing for consideration and recommendation to City Council for The Arroyo At Sienna Hills Preliminary Plat located at approximately 1900 East 600 North. Applicant: Brennan Holdings No 100 LLC, Jim Raines

### **Background**

The applicant is requesting approval of a Preliminary plat for The Arroyo at Sienna Hills subdivision, located at approximately 1900 East 1000 North. The applicant is wishing to develop 185 lots on an area covering 58.45 acres. The location of this particular project is zoned Planned Community Development (PCD), being part of the Sienna Hills development.

The proposed subdivision conforms to the subdivision requirements and other city ordinances (including the approved PCD) as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for The Arroyo at Sienna Hills subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The preliminary plat meets the land use designation as outlined in the PCD agreement for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

### **Conditions**

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
  - A. A title report.
  - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. A signed stamped letter stating compliance with the Sienna Hills streets, water, sewer and storm water master plans needs to be submitted with construction drawings.
12. A Flood Plain development Permit will be required prior to any land disturbing activities if ANY work is to be performed within the SFHA.

13. Post Construction Maintenance Agreement will need to be recorded prior to Final Plat recordation.

Commissioner Schofield stated this is about the size of the Sugar Plumb subdivision.

Commissioner Smith stated he isn't disagreeing about the street size but this does not match the city standard but this is PCD and it might meet the PCD standard.

Mr. Ellerman stated as long as it is in compliance with the PCD street standards it is okay. He stated he would make sure. It appears to be 5 foot wider. Sugar Plumb has 50-foot wide streets.

Commissioner Smith stated he likes this standard and the city standard should change to this standard. The PCD can change the size so if this matches the PCD he doesn't have an issue with it. He feels the city standard is too wide.

Mr. Raines stated Sienna Hills is a pedestrian minded plan. Almost all lots open up to open space.

Commissioner Schofield opened the public hearing.

No response.

Commissioner Shepherd

Commissioner Williams

Motion passed unanimously.

**Commissioner Shepherd motioned to recommend approval to City Council with the findings and conditions of staff.**

**Commissioner Williams seconded the motion.**

**Roll call vote:**

**Commissioner Papa Aye**

**Commissioner Smith Aye**

**Commissioner Williams Aye**

**Commissioner Shepherd Aye**

**Commissioner Schofield Aye**

**Motion passed unanimously.**

- C. Public Hearing for consideration and recommendation to City Council for The Escapes at Sunrise Estates Preliminary Plat located at approximately 1300 West 1700 North, north end of Concord Parkway. Applicant: Brennan Holdings No 100 LLC, Jim Raines

### **Background**

The applicant is requesting approval of a Preliminary plat for The Escapes at Sunrise Estates subdivision, located at approximately 1300 West 1700 North. The applicant is wishing to develop 31 lots on an area covering 26.39 acres. The location of this particular project is zoned Single-Family Residential - 15,000 square foot min. (R-1-15). The surrounding zoning is R-1-8,

R-1-10 and R-1-12 to the north and east, Open Space to the west, and PUD (Northbridge Estates) to the south.

The proposed subdivision conforms to the subdivision requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for The Escapes at Sunrise Estates subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

### **Conditions**

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
  - A. A title report.
  - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.

9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. Post Construction Maintenance Agreement will need to be recorded prior to Final Plat recordation.

Jim Raines stated this project is the plan that they showed to the neighbor meetings but could not show the commissioner at the zone change. The only change is with the intersection. They have met with the Reserve to do a study for a trailheads in the trail system that will be interconnected. It will be identical to the Northbridge.

Commissioner Schofield opened the public hearing.

David Wannocot stated he isn't as concerned with this project but wants to state his concern with feathering in the zoning.

Glen Bingham stated his concern is the developer agreed to do a development agreement but they haven't been told there is one.

Mr. Raines stated there is a draft of the development agreement that is being reviewed by the city.

Commissioner Papa motioned to close the public hearing.

Commissioner Smith seconded the motion.

Motion passed unanimously.

Commissioner Smith stated his only concern is the streets. Only a couple of the streets don't meet the street standards.

Lester Dalton stated Northbridge Estates has 32-foot private streets and the city standards are 34 foot but the City Council has approved the 32-foot numerous times.

Commissioner Smith stated he would rather the city standards change.

Mr. Dalton stated some time this year they will be amending the design standards. The cross section is 32 feet on the recorded plat. The typical road since he has been with the city is a 32-foot street. He stated for storm drain reasons narrow streets make a lot of sense.

Commissioner Shepherd asked if the adjoined subdivision has private streets. She stated she doesn't like private streets because property owners have to pay for it.

Commissioner Smith stated Northbridge Estates has private streets.

Commissioner Shepherd stated she doesn't like private streets because the citizens get stuck with maintaining the streets.

Mr. Ellerman stated private streets could be shut off to the public. People buy into subdivisions that has private streets.

Commissioner Shepherd stated not all people know they are responsible for private streets.

**Commissioner Smith motioned to recommend approval to City Council with the findings and condition of staff.**

**Commissioner Shepherd seconded the motion.**

**Motion passed unanimously.**

- D. Public Hearing for consideration and recommendation to City Council for The Escapes at Sunrise Villas Preliminary Plat located at approximately 1000 West 1900 North, north end of Green Springs Drive. Applicant: Brennan Holdings No 100 LLC, Jim Raines

### **Background**

The applicant is requesting approval of a Preliminary plat for The Escapes at Sunrise Villas subdivision, located at approximately 1000 West 1900 North. The applicant is wishing to develop 116 lots on an area covering 28.67 acres. The location of this particular project is zoned Planned Unit Development (PUD). The surrounding zoning is R-1-8, R-1-10 to the south, R-1-10 to the east, Open Space to the north and R-1-8 and Open Space to the west.

The proposed subdivision conforms to the subdivision requirements and other city ordinances (including the PUD zoning approval) as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for The Escapes at Sunrise Villas subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

### **Conditions**

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.



3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
  - A. A title report.
  - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. Post Construction Maintenance Agreement will need to be recorded prior to Final Plat recordation.

Jim Raines stated this is identical layout to the PUD zone change except the turn around. There will be a perimeter wall. The trailheads are to the north. The Villas are townhome flat roof high end. He stated they are 2,800 to 3,200 sq feet homes.

Commissioner Schofield opened the public hearing

John Cherry lives in Northbridge and when the zone change came in he received three notices but with this he received only two. He stated he asked staff if there were any other documents and was told no but he wasn't given the opportunity to see the development agreement.

Mr. Ellerman stated the development agreement is something that the developer and the city agree on it doesn't necessarily involve people outside the subdivision and only goes to the City Council for approval. He stated that on a zone change the notice was sent to all, not just the 300-foot radius surrounding property, it basically was over noticed.

David Wannacot asked about the density and that density is in the eye of the beholder.

Commissioner Smith stated it is 4 du/acre

Glen Bingham stated he is concerned with the city memorialize a street to the Desert Reserve. He stated now there is a street that is waiting for the Northern Corridor. He stated he doesn't want traffic from St George. He asked that they city doesn't support a road going to the Northern Corridor.

Lester Dalton stated NPO has planned for the Northern Corridor and this has been shown on regional traffic plans for the last 15 years. He stated this has been planned for traffic from St George to Washington and Washington to St George. This would be necessary to take traffic off of exit 10. He also stated it isn't good for asphalt to set not used because it will deteriorate so the road will come in as development comes in.

Commissioner Schofield asked if this road has been on the master transportation plan and what is the projected time frame for the road to come in.

Mr. Dalton stated yes it is on the master transportation plan and it is determined on growth and the necessity for it to come in when it is needed. The studies are being looked at now.

Commissioner Schofield asked if Green Springs is an 80-foot road.

Mr. Dalton stated yes. Green Springs is a minor arterial road. Washington Parkway and Green Springs may eventually have a stoplight. People usually travel the path of least resistance.

Commissioner Schofield asked why not pave the end of Green Springs.

Mr. Dalton stated they would look at the end of that road as a stubbed road then when development comes in they put in the road.

Kyle Pasley stated Washington Parkway was to be the Northern Parkway but now there is a greater Northern Parkway; which is what is being seen now. He stated according to the NPO study this is the best and the least egregious because they don't want to go through washes and there is a Hillside Ordinance. He stated they are agreeable to a right of way easement.

Alford -- stated he only got one notice. He asked about the bike trail icehouse trail and will it preserve the bike trail.

Mr. Raines stated they are asking the Reserve for a trailhead.

Commissioner Shepherd motioned to close the public hearing.

Commissioner Smith seconded the motion.

Motion passed unanimously.

Mr. Ellerman stated he would rather have the road than do a condemnation and the cost to give it back.

Commissioner Schofield stated there needs to be connectivity and traffic is always going to be an issue with growth. He stated in his subdivision there are a lot of second homes and that seems to be a trend for this area. He stated Green Springs is going to get busy and was mastered plan to be a major road.

**Commissioner Williams motioned to recommend approval to City Council with the findings and conditions of staff.**

**Commissioner Shepherd seconded the motion.**

**Motion passed unanimously.**

- E. Public Hearing for consideration and recommendation to City Council for The Escapes at Sunrise Residences Preliminary Plat located at approximately 1700 North 1200 West, north of Northbridge Subdivision. Applicant: Brennan Holdings No 100 LLC, Jim Raines

### **Background**

The applicant is requesting approval of a Preliminary plat for The Escapes at Sunrise Residences subdivision, located at approximately 1200 West 1700 North. The applicant is wishing to develop 179 lots on an area covering 67.76 acres. The location of this particular project is zoned Single-Family Residential - 12,000 square foot min. (R-1-12) for approximately three hundred fifty feet (350') on the southern boundary and Single-Family Residential - 10,000 square foot min. (R-1-10) for approximately three hundred feet (300') above the (R-1-12) designation, and Single-Family Residential - 8,000 square foot min. (R-1-8) for the remainder of the development.

The surrounding zoning is R-1-15 and Open Space to the west, Open Space and PUD to the north, PUD (Northbridge) to the south, and R-1-10 and PUD to the east.

The proposed subdivision conforms to the subdivision requirements and other city ordinances as it relates to this location. A development agreement has been submitted with this project, it was promised to the City Council during the zoning approval process by the developer. The development agreement will be presented to and reviewed by the City Council during their consideration of this Preliminary Plat (a copy has been attached for your review). Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for The Escapes at Sunrise Residences subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

### **Conditions**

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
  - A. A title report.
  - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. Post Construction Maintenance Agreement will need to be recorded prior to Final Plat recordation.

Commissioner Schofield stated the Commissioner's didn't have any say on the feathering of the zoning and where the lots would appear in regards to the feathering. City Council made that determination. He stated the Commission denied the R-1-8 zone.

Jim Raines stated he would like for the commissioners to look ahead and not back. The R-1-8 and R-1-10 was so the feathering would accommodate the Northbridge Subdivision. The single step to one zone to another is common and it is common to have a R-1-8 next to a R-1-10. The layout in Washington Vista has different shaped lots due to what the developer wanted with triangle shapes. He stated they have met with the neighbors and realizes they can't please everyone but they have made compromises. He stated they are not doing speck homes they are fitting the lot to the home. He stated they have modified the original plan and would hope the commissioners would see that. He also stated there is a trail system in this project and the detention area is only there for the purpose of a major event.

Commissioner Schofield asked about the density.

Mr. Raines stated it is 2.56 du/ac.

Commissioner Smith asked for clarification of the drainage.

Mr. Raines stated it would be piped to the detention area.

Commissioner Schofield stated he met with Mr. Raines and discussed the feathering. He stated they discuss feathering of certain lots.

Mr. Raines stated feathering is a matter of opinion.

Richard Winget lives in Northbridge he stated there appears to be a pattern where SITLA sells to Brennan Holdings and develops small lots with a higher density and devalues his property values. He stated seconded homes don't affect traffic. He stated he would have to deal with this for 9 years. He stated City Council once said that they wouldn't stand in the way of someone spending millions of dollars and development. He stated he disagrees with that because they are elected officials and need to be protecting the citizens. He stated City Council over turned the Planning Commission and it appears to be some illegal maneuvering. Two things, no construction traffic off of Concord and that the topography not be disturbed and it is being disturbed. He stated there is already someone from the city questioning the streets.

Commissioner Schofield stated as far as City Council overriding the Planning Commission it does happen and that is their right and prerogative. He stated he gets concerned when they vote unanimously or 3 to 2 votes and the Council votes the opposite. He stated they do represent the citizens and they do try to be fair to citizens and developers. As far as the construction traffic on Concord that will not happen. The subcontractor will use it. He stated as far as SITLA has a pattern, there isn't a pattern. It is more on the line of what the developer wants to do and he disagrees with Mr. Winget. He is disappointed that City Council approved this and is disappointed that Mr. Raines didn't take his suggestions. He stated he tries to work with others to get their viewpoint. The topography is lower than Northbridge and lastly the flat roofs would not interfere with the view of those that live in Northbridge.

Mr. Winget stated he thinks they are over building in the city.

Commissioner Schofield stated high density is 12 units per acre. He stated he does feel that things are getting ahead of itself but if it fits the General Plan criteria developers have the right to build. He stated there are more that knew about this project that choose not to show up.

Kyle Pasley stated the process is SITLA doesn't just change things. This is the third time to come before the city and the over all zoning and the density have not changed. SITLA comes to the city in good faith and is consistent in what they present at the level they have presented.

David Wannocot lives on Belmont and Concord and stated he was blind sided with the decision of City Council. He stated with higher density there is more traffic issues and with more traffic it is difficult to sell lots. The plan looks as if everything is coming onto Concord. Zoning was only approved because of the feathering to work with the community. North Green Springs is R-1-10 and greater. He stated he measured Green Springs is a 54 feet across and on Fairway it is 54 wide. Concord is only 14 feet on each side of the medium.

Lester Dalton stated Concord Parkway is a 60-foot collector residential right of way and meets the requirements. He stated it is based on the function.

Commissioner Schofield asked how long Mr. Dalton has been doing what he does.

Mr. Dalton stated he has been with the city for 11 years and in construction before that. He stated Concord toward Green Springs could handle the traffic.

Faith Havick stated she is concerned with the Green Springs traffic. The HOA from Silverstone is concerned with the quality of homes and traffic. She stated the Turtle Reserve was appealing to her when she moved here. She stated she is concern with infrastructure and supplying water, sewer and services like garbage with the growth.

Commissioner Schofield state there is allocated water to Washington County and they can't approve development if there isn't adequate water. Water is going to always be a concern. There is the Lake Powell Pipeline, Aquifers and the Water Conservancy District. Las Vegas is in trouble as well as Clark County.

Debbie Wannocot stated Mr. Dalton would be fired if he said Concord couldn't handle the traffic. She stated her concern is the traffic onto Concord and would rather see the cul de sac open up and have traffic go onto Green Springs. Concord will be a short cut to the Washington Parkway.

Commissioner Schofield stated in regards to the cul de sac it is Wiltshire and does go through to Green Springs. People go to the easiest access. He stated Mr. Dalton has the credentials to do the job he does.

Mr. Dalton stated Concord is a level A because there isn't a stoplight or sign. He stated with this development it would go to level C. He stated they don't get to concern with level C. Currently Green Spring Drive intersection at Fairway is 3,000 cars a day minor arterial and is designed to carry 20,000 cars a day.

Commissioner Smith motioned to close the public hearing.  
Commissioner Papa seconded the motion  
Motion passed unanimously.

Commissioner Schofield stated for clarification. The market is for second homes but that isn't going to be the case for all the homes. He stated with 3,000 trips a day wouldn't go up for people owning second homes.

Mr. Raines stated there isn't provision for second homes in regards to a traffic study. He stated the streets are designed for the growth. Concord is a collector residential road and from the traffic study it meets the requirements. They aren't near what SITLA had proposed for the area. He stated 700 feet is a generous feathering and realizes that not everyone is happy with that. He stated they don't sell retail lots, they will look at the market and the demand and they have a builder on hand. They design lots to fit a home. Most of the lots are bigger than Northbridge.

Commissioner Schofield stated in regards to Mr. Raines he respectfully disagrees with the comments with the lot sizes where approximately 75% are above 8,000 sq foot lots and if he would have taken his suggestion, they would have only lost a few lots. He stated it wouldn't have changed the traffic study. He stated as far as City Council concerned, he disagrees with the feathering. Everything south of Concord should be R-1-8. Everything north of Concord should be R-1-10 and R-1-12. The project as a whole is a good one. He stated if this isn't approved tonight he feels it is about selling lots and not custom homes. He stated he didn't agree with City Council's decision on this project.

Mr. Raines from the audience disagreed with what Commissioner Schofield said.

Commissioner Schofield stated with item 6 E it is not an acceptable density for the area it needs to be less.

Commissioner Shepherd stated she voted last time against this and the feathering slope and going from R-1-15 to R-1-8 isn't feathering. She stated there is a steep incline and there isn't feathering. She stated between R-1-15 to 102 to 110 there is a steep incline and doesn't appear to be feathering and this is not what she had hoped for.

**Commissioner Papa motioned to recommend approval to City Council with the findings and conditions of staff.**

**Commissioner Smith seconded the motion.**

**Commissioner Papa Aye**

**Commissioner Williams Nay**

**Commissioner Shepherd Nay**

**Commissioner Schofield Nay**

**Vote is 3-2**

**Commissioner Shepherd motioned to recommend denial to City Council based on lack of feathering along the Washington Vista subdivision and north of Sunrise Estates lots 171 and 178 and 201 to 210 R-1-10 needs to be greater preferably to R-1-12 to R-1-15.**

Kyle Pasley asked that they clarify their motion with exactly what they are basing their denial on. Specially what ordinance, zoning and code because this is an administrative motion.

Mr. Ellerman stated he needs specific reasons to take to City Council.

Jeff Starkey stated he doesn't know what feathering means.

Mr. Ellerman stated just be specific why she is making the denial. He stated this is a preliminary plat.

Commissioner Shepherd asked why is she here if it isn't about zoning.

Commissioner Schofield stated she could deny that the lots are too small.

Mr. Ellerman stated in the R-1-8 there are very large lots and not all just fitting the R-1-8.

Commissioner Shepherd motioned that from R-1-15 to Washington Vista that the density be lower and the density north of Concord be a lower density.

Commissioner Schofield stated Commissioner Shepherd is saying she doesn't like the current density He stated they would lose 10 to 15 lots in this development.

Mr. Ellerman stated he just needs to be clear what the motion is to take to City Council.

Commissioner Schofield stated it is just about density.

**Commissioner Shepherd motioned to recommend denial of the preliminary plat The Escapes at Sunrise Residences based on east and the north density needs to be less. Commissioner Williams seconded the motion.**

**Kyle Pasley asked that Jeff Starkey contact their council.**

**Mr. Starkey stated he would.**

**Commissioner Papa Nay  
Commissioner Smith Nay  
Commissioner Williams Aye  
Commissioner Shepherd Aye  
Commissioner Schofield Aye  
Vote is 3-2**

**7. CONDITIONAL USE PERMIT**

- A. Tabled from February 5, 2014 to consider approval for a Conditional Use Permit C-14-01 request for height relief for a silo at the Cotton Town Village located at 25 North 300 West. Applicant: Robbie Staheli**

Drew Ellerman stated the applicant has submitted written request to table the request to an open time to allow him time to go to City Council to talk to them about signage. He stated there has been some feedback some for and some against.



Commissioner Schofield stated some of the commissioners and himself have met with Mr. Staheli and they agreed to address signage first. He stated Mr. Staheli's intent is to use the Silo for signage and his issue is with the color of the silo. There are some concerns with how it will be engineered. He stated Mr. Staheli has purchased the silo it is a matter of where to put it now. For now he will store it on site.

**Commissioner Smith motioned to table to further date.**  
**Commissioner Williams seconded the motion.**  
**Motion passed unanimously.**

8. DISCUSSION ITEMS

A. Discussion of General Information.  
No items discussed.

Commissioner Papa motioned to adjourn the Planning Commissioner meeting.  
Commissioner Shepherd seconded the motion.  
Motion passed unanimously.

Meeting adjourned: 9:43 PM

Washington City

Signed by:   
Rick Schofield, Chairman

Attested to:   
Kathy Spring, Zoning Technician